Waiver of Rule5(c) and 5.1(a) Hearings

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
JUL 10 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES OF AMERICA

v.

VICTOR CRUZ-LEON

Magistrate Case No. 08MJ1977

WAIVER OF RULE 5(c) and 5.1(a) HEARINGS
(Excluding Probation/Supervised Release Violation)

I, **VICTOR CRUZ-LEON**, understand that in the District of Oregon, charges are pending alleging violation of Title 18, United States Code, Section 3148, and that I have been arrested in the Southern District of California and taken before a United States Magistrate Judge, who informed me of the charge and of my right to:

1. Retain counsel or request the appointment of counsel if I am unable to retain counsel;
2. Request transfer of the proceedings to this district pursuant to Rule 20, Fed.R.Crim.P., in order to plead guilty **if** the United States Attorneys in both districts approve the transfer in writing;
3. A preliminary hearing if required by Federal Rules of Criminal Procedure 5.1 or 58(b)(2)(G) (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution; and
4. An identity hearing to determine if I am the same person named in the charging document.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

☐ identity hearing

☐ preliminary hearing

☐ identity hearing and have been informed I have no right to a preliminary hearing

☒ identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

VICTOR CRUZ-LEON
Defendant

Defense Counsel

7·9·08
Date

7/9/08
Brenda Leyva, Interpreter

FAS/tlp/July 2, 2008/Revised 12/02